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Attorney Docket No.: 23239-531 CIP

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANTS : Stanton, et al.
SERIAL NUMBER : 10/826,077 EXAMINER : Jon Benjamin Ashen
FILING DATE : April 15, 2004 ART UNIT : 1635
FOR : APTAMER-TOXIN MOLECULES AND METHODS FOR USING SAME

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Transmitted herewith for filing in the above-referenced patent application are the following documents:

1. Supplemental Information Disclosure Statement (2 pages), in duplicate;
2. Modified Form 1449/PTO (5 pages), in duplicate; and
3. Return postcard.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at 617-542-6000, Boston, Massachusetts.

The Commissioner is authorized to charge any additional fees that may be due, or to credit any overpayment, to the undersigned's account, Deposit Account No. 50-0311 Ref. No. 23239-531CIP. A duplicate copy of this transmittal letter is enclosed herewith.

Respectfully submitted,

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Dated: May 25, 2006



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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants hereby make of record the documents listed on the attached modified Form PTO-1449.

This Supplemental Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits in the above-identified case. Accordingly, no fee or certification is believed required. Copies of the references are not provided as they were previously cited and/or submitted to the USPTO in prior application, Serial No. 10/600,007, filed June 18, 2003, and relied upon for an earlier filing date under 35 U.S.C. §120 (continuation, continuation-in-part, and divisional applications).

It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims, and sign the enclosed form PTO-1449 to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application.

By submitting this Supplemental Information Disclosure Statement, the Applicants make no representation that: (1) a search has been performed, of the extent of any search performed, or that more relevant information does not exist; (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the information cited in the Statement is, or is considered to be, in fact, prior art as defined by

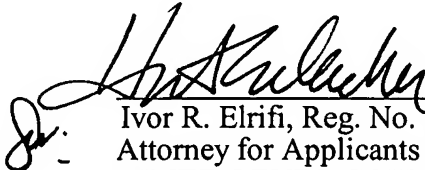
APPLICANTS: Stanton et al.
U.S.S.N.: 10/826,077

35 U.S.C. §102.

Notwithstanding any statements by the Applicants, the Examiner is urged to form his/her own conclusion regarding the relevance of the cited information. An early and favorable action is hereby requested.

Please charge any fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 23239-531 CIP.

Respectfully submitted,

 Reg. No. 45,409

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+

Modified Form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Application Number	10/826,077
Filing Date	April 15, 2004
First Named Inventor	Stanton et al.
Group Art Unit	1635
Examiner Name	Ashen, Jon B.
Attorney Docket Number	23239-531 CIP

U.S. PATENT DOCUMENTS

Exam Initials	Cite No.	U.S. Patent Document No.	Issue Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date If Appropriate
	*A36	3,710,795	01/16/73	Higuchi et al.			
	*A37	4,137,230	01/30/79	Hashimoto et al.			
	*A38	4,360,462	11/23/82	Higashide et al.			
	*A39	4,861,587	08/29/89	Kida et al.			
	*A40	4,808,520	02/28/89	Dattagupta et al.			
	*A41	4,959,309	09/25/90	Dattagupta et al.			
	*A42	5,142,047	08/25/92	Summerton et al.			
	*A43	5,262,564	11/16/93	Kun et al.			
	*A44	5,279,833	01/18/94	Rose			
	*A45	5,338,671	08/16/94	Scalice et al.			
	*A46	5,475,096	12/12/95	Gold et al.			
	*A47	5,496,938	03/05/96	Gold et al.			
	*A48	5,503,978	04/12/96	Schneider et al.			
	*A49	5,563,255	10/08/96	Monia et al.			
	*A50	5,567,588	10/22/96	Gold et al.			
	*A51	5,580,737	12/03/96	Polisky et al.			
	*A52	5,614,503	03/25/97	Chaudhary et al.			
	*A53	5,631,237	05/20/97	Dzau et al.			
	*A54	5,631,359	05/20/97	Chowrira et al.			
	*A55	5,637,459	6/10/97	Burke et al.			
	*A56	5,648,214	07/15/97	Nieuwlandt et al.			
	*A57	5,660,985	08/26/97	Pieken et al.			
	*A58	5,668,264	09/16/97	Janjic et al.			
	*A59	5,674,685	10/07/97	Janjic et al.			
	*A60	5,674,980	10/07/97	Frankel et al.			
	*A61	5,700,923	12/23/97	Goodchild et al.			
	*A62	5,707,796	01/13/98	Gold et al.			
	*A63	5,741,679	04/21/98	George et al.			
	*A64	5,789,157	08/04/98	Jensen et al.			
	*A65	5,763,177	06/09/98	Gold et al.			
	*A66	5,767,263	6/16/98	Usman et al.			

U.S. PATENT DOCUMENTS							
Exam Initials	Cite No.	U.S. Patent Document No.	Issue Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date If Appropriate
	*A67	5,789,157	08/04/98	Jensen et al.			
	*A68	5,804,604	09/08/98	Frankel et al.			
	*A69	5,824,490	10/20/98	Coffey et al.			
	*A70	5,859,228	01/12/99	Janjic et al.			
	*A71	5,998,142	12/07/99	Gold et al.			
	*A72	6,051,698	04/18/00	Janjic et al.			
	*A73	6,063,566	05/16/00	Joyce			
	*A74	6,168,778	01/02/01	Janjic et al.			
	*A75	6,207,816	03/27/01	Gold et al.			
	*A76	6,229,002	05/08/01	Janjic et al.			
	*A77	6,261,774	07/17/01	Pagratis et al.			
	*A78	6,333,410	12/25/01	Chari et al.			
	*A79	6,949,379	08/22/02	Ramachandra			
U.S. PUBLISHED APPLICATION DOCUMENTS							
Exam Initials	Cite No.	U.S. Published Application No.	Published Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date If Appropriate
	*A80	US2002/0102694	08/01/02	Breaker et al.			

FOREIGN PATENT DOCUMENTS						
Exam Initials	Cite No.	Foreign Patent Document Office	Number	Name of Patentee(s) or Applicant(s)	Date of Publication	Translation Yes No
	*B17	EP	0 553 838	Kabushiki Kaisha Toshiba	08/04/93	
	*B18	EP	0592035	Scalice et al.	04/13/94	
	*B19	PCT	WO90/10448	Genentech, Inc.	9/20/90	
	*B20	PCT	WO94/08050	Nexagen, Inc.	04/14/94	
	*B21	PCT	WO98/18480	Nexstar Pharmaceuticals, Inc.	05/07/98	
	*B22	PCT	WO02/26867	The Regents of the University of California	04/04/02	

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS		
Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.
	*C101	Agrawal and Zhang (1997) Ciba Found. Symp 209:60-78
	*C102	Akhtar and Agrawal (1997), Trends Pharmacol. Sci 18(1):12-18
	*C103	Antopolsky, <i>et al.</i> (1999), Bioconjug. Chem. 10(4): 598-606
	*C104	Astriab-Fisher, <i>et al.</i> (2000), Biochem. Pharmacol. 60(1): 83-90
	*C105	Bell, <i>et al.</i> (1999), In Vitro Cell. Dev. Biol. Anim. 35(9): 533-42
	*C106	Bock et al., (1992) Nature 355:564-566
	*C107	Brady <i>et al.</i> (2002) J. Med. Chem., 45:4706-4715
	*C108	Carrasquillo, <i>et al.</i> (2003), Invest. Ophthalmology Vis. Sci. 44(1): 290-9
	*C109	Chen et al. (1994) Biochem. 33:8746-8756
	*C110	Chen, <i>et al.</i> (2003), Proc. Natl. Acad. Sci. U.S.A. 100(16): 9226-31
	*C111	Church et al. (1984) PNAS USA 81:1991-1995
	*C112	Cotten, <i>et al.</i> , (1991) Nucl. Acid Res. 19:2629-2635
	*C113	Crooke (1997), Adv. Pharmacol. 40: 1-49
	*C114	Daniels, <i>et al.</i> (2002), Anal. Biochem. 305(2): 214-26
	*C115	Dehouck et al., (1996) Biology and Physiology of the Blood Brain Barrier, Couraud and Scherman eds., Chapter 23, pp. 143-146
	*C116	de Smidt, <i>et al.</i> (1991), Nucleic Acids Res. 19(17): 4695-4700
	*C117	Eggen and Georg, (2002) Medicinal Research Reviews, 22(2):85-101
	*C118	Fedor and Uhlenbeck, (1990) Proc. Natl. Acad. Sci. USA 87: 1668-1672
	*C119	Froehler <i>et al.</i> , (1986) Nucl. Acid Res. 14:5399-5467
	*C120	Froehler <i>et al.</i> , (1986) Tet. Lett. 27:5575-5578
	*C121	Gath et al., (1996) Biology and Physiology of the Blood Brain Barrier, Couraud and Scherman eds., Chapter 25, pp. 153-158
	*C122	Green, <i>et al.</i> (1995), Chem. Biol. 2: 683-95
	*C123	Greenwald, <i>et al.</i> , (1995) J. Org. Chem., 60:331-336
	*C124	Griffin, <i>et al.</i> (1993), Gene 137(1): 25-31
	*C125	Grindel, <i>et al.</i> (1998), Antisense Nucleic Acid Drug Dev. 8(1): 43-52
	*C126	Hamann <i>et al.</i> (2002) Bioconjugate Chem., 13: 47-58
	*C127	Hampel and Tritz, (1989) Biochemistry 28: 4929-4933
	*C128	Harris <i>et al.</i> , (2003) Nature 2: 214-221

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS		
Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.
	*C129	Haseloff and Gerlach, (1988) Nature 334: 585-591
	*C130	Hirose <i>et al.</i> , (1978) Tet. Lett., 28:2449-2452
	*C131	Hobbs, <i>et al.</i> , (1973) Biochemistry 12:5138-5145
	*C132	Jablonski <i>et al.</i> , (1986) Nuc Acids Res. 14(15):6115-6128
	*C133	Jashcke <i>et al.</i> , (1994) Nuc. Acids Res. 22:4810-4817
	*C134	Jellinek, <i>et al.</i> (1995) Biochemistry 34(36): 11363-11372
	*C135	Jenison, <i>et al.</i> (1998), Antisense Nucleic Acid Drug Dev. 8(4): 265-79
	*C136	Kellogg <i>et al.</i> , (1994) BioTechniques 16:1134-1137
	*C137	Khati, <i>et al.</i> (2003), J. Virol. 77(23): 12692-8
	*C138	Koizumi <i>et al.</i> , FEBS Lett. 239: 285-288 (1988)
	*C139	Kraus, <i>et al.</i> , (1998) Journal of Immunology 160:5209-5212
	*C140	Lebedeva, <i>et al.</i> (2000), Eur. J. Pharm. Biopharm. 50(1): 101-119
	*C141	Lewis, <i>et al.</i> , (2002) Bioconjugate Chemistry 13(6):1176-1180
	*C142	Lin, <i>et al.</i> , (1994) Nucl. Acids Res. 22:5229-5234
	*C143	Manoharan (2002), Antisense Nucleic Acid Drug Dev. 12(2): 103-128
	*C144	Monteith and Levin (1999), Toxicol. Pathol. 27(1): 8-13
	*C145	Padilla <i>et al.</i> , (2002) Nucleic Acids Research, 30(24):e138, pp. 1-4
	*C146	Pagratris, <i>et al.</i> , (1997) Nat. Biotechnol 15:68-73
	*C147	Peng, <i>et al.</i> (2001) Antisense Nucleic Acid Drug Dev. 11(1): 15-27
	*C148	Pieken, <i>et al.</i> , (1991) Science 253:314-317
	*C149	Pietersz, <i>et al.</i> (2001) Vaccine 19: 1397-1405
	*C150	Reyderman and Stavchansky (1998) Pharmaceutical Research 15(6): 904-910
	*C151	Richardson, <i>et al.</i> (2000), Biochem. Pharmacol. 59(9): 1045-1052
	*C152	Richardson, <i>et al.</i> (2002), Chem. Res. Toxicol. 15(7): 922-926
	*C153	Rothbard, <i>et al.</i> (2000), Nat. Med. 6(11): 1253-1257
	*C154	Rothbard, J <i>et al.</i> (2002), J. Med. Chem. 45(17): 3612-3618
	*C155	Ruckman, <i>et al.</i> (1998), J. Biol. Chem. 273(32): 20556-20567
	*C156	Smith and Steitz (1997), Cell 89(5): 669-672
	*C157	Smith <i>et al.</i> (1985) Nuc Acids Res. 13(7):2399-2412
	*C158	Sood <i>et al.</i> , (1977) Nucl. Acid Res. 4:2757-2765
	*C159	Sproat, <i>et al.</i> , Nucl. Acid Res. 19:733-738 (1991)
	*C160	Srinivasan and Iversen (1995), J. Clin. Lab. Anal. 9(2): 129-137
	*C161	Tavitian, <i>et al.</i> (1998), Nat. Med. 4(4): 467-471
	*C162	Tanchou <i>et al.</i> (1994) Aids Research and Human Retroviruses 10:983-993
	*C163	Tucker <i>et al.</i> , (1999), J. Chromatography B. 732: 203-212
	*C164	Tuerk <i>et al.</i> , (1992) Proc. Natl. Acad. Sciences 89(15):6988-6992
	*C165	Uhlenbeck, (1987) Nature 328: 596-600
	*C166	Uhlmann, <i>et al.</i> (2000), Methods Enzymol. 313: 268-284
	*C167	Usman <i>et al.</i> (2000) Clin. Invest. 106:1197-1202

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Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.
	*C168	Vaish, <i>et al.</i> (2003), Biochemistry 42(29): 8842-8851
	*C169	Vives, <i>et al.</i> (1997), J. Biol. Chem. 272(25): 16010-16017
	*C170	Watson, <i>et al.</i> (2000), Antisense Nucleic Acid Drug Dev. 10(2): 63-75
	*C171	Wlotzka, <i>et al.</i> (2002), Proc. Natl. Acad. Sci. U.S.A. 99(13): 8898-8902
	*C172	Zubin, <i>et al.</i> (1999), FEBS Lett. 456(1): 59-62

* a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. 10/600,007, filed June 18, 2003, and relied upon for an earlier filing date under 35 U.S.C. §120 (continuation, continuation-in-part, and divisional applications).

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered.

Include copy of this form with next communication to applicant.